



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,951	07/23/2001	Taketoshi Hibi	925-178P	2463

2292 7590 06/30/2004

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

DESIR, JEAN WICEL

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/30/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/909,951	HIBI ET AL.	
	Examiner	Art Unit	
	Jean W. Désir	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 March 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,5 and 12-15 is/are rejected.
- 7) Claim(s) 3,4 and 6-11 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 23 March 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Schwartz (US 3,980,819).

Claim 1:

The claimed “a beam-spot-length control element for increasing or decreasing the vertical length of a beam spot on a display screen generated by an electron beam of a cathode-ray tube for displaying a TV signal” is disclosed, see col. 5 lines 1-18 where beam-spot-length control means is disclosed as claimed;

the claimed “a vertical enhancement element for enhancing a given vertical-direction spatial frequency characteristic of said TV signal” is disclosed, see col. 12 lines 25-32, col. 13 lines 16-20, 3-15, where vertical enhancement means is disclosed as claimed;

the claimed “a noise elimination control element for controlling said beam-spot-length control element and said vertical enhancement element so as to compensate said vertical-direction spatial frequency characteristic according to the increase or

decrease of said beam spot length" is disclosed, see the ABSTRACT where noise elimination control means is clearly disclosed as claimed.

Claim 2 is disclosed, see col. 13 lines 3-20.

Claim 5 is disclosed, see col. 12 lines 25-32.

Claim 12:

The claimed "a cathode-ray tube for displaying a TV signal; an electron-beam driving element for driving electron beam of said cathode-ray tube" is disclosed, see Fig. 7, col. 7 lines 15-36;

the claimed "a beam-spot-length control element for increasing or decreasing the length of a beam spot on a display screen generated by said electron beam in the vertical direction" is disclosed, see col. 5 lines 1-18 where beam-spot-length control means is disclosed as claimed;

the claimed "a vertical enhancement element for enhancing a given vertical-direction spatial frequency characteristic of said TV signal" is disclosed, see col. 12 lines 25-32, col. 13 lines 16-20, 3-15, where vertical enhancement means is disclosed as claimed;

the claimed "a screen-noise elimination control element for controlling said beam-spot-length control element and said vertical enhancement element so as to compensate said vertical-direction spatial frequency characteristic according to the increase or decrease of said beam spot length" is disclosed, see the ABSTRACT where screen-noise elimination control means is clearly disclosed as claimed.

Claims 13, 14 are inherent to Schwartz's disclosure.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz (US 3,980,819) in view of admitted prior art Fig. 9 discussed in the background of the instant application.

Claim 15:

The claimed limitation "wherein said electron-beam driving element comprises a second vertical deflection coil, and said beam-spot-length control element comprises a driving circuit for said second vertical deflection coil" as claimed in claim 15, is not explicitly disclosed by Schwartz. However, the admitted prior art disclosed this claimed limitation, as evidence see Fig. 9 items 11,12, and background of the invention page 3 last 3 lines, page 4 lines 1-6. Schwartz in view of the teaching of the admitted prior art would have rendered the claimed invention obvious; an artisan would be motivated to combine the references to arrive at the claimed invention, because this combination would provide, inter alia, an improved screen-noise elimination system. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Allowable Subject Matter

5. Claims 3, 4, 6-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments have been fully considered but they are not persuasive. Applicants argue, on page 16 of the REMARKS, that "Schwartz does not include a noise-elimination control element that controls a beam-spot-length control element that increases or decreases the vertical length of a beam spot on the display". These arguments are not persuasive, because Schwartz clearly teaches the claimed invention as pointed out in the rejection; Schwartz teaches that the beam spot size on the display is increased or decreased (see col. 4 lines 46-49, col. 5 lines 11-13); the size of the beam spot which is increased or decreased is interpreted as included the vertical length of the beam spot. So, contrary to the Applicants' arguments, Schwartz includes a noise-elimination control element as claimed and as pointed out in the above rejection.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (703) 308 9571. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305 4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD
Jun. 25, 04


MICHAEL H. LEE
PRIMARY EXAMINER